

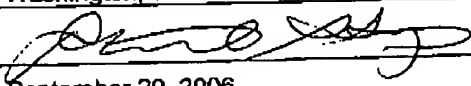
SEP 29 2006

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/721,780
		Filing Date	November 26, 2003
		First Named Inventor	Richard T. RAINES
		Group Art Unit	3625
		Examiner Name	James H. Zurita
Total Number of Pages in This Submission		Attorney Docket Number	023880-6

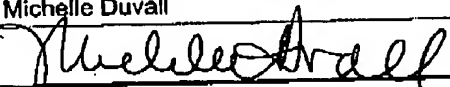
  

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Restriction/Election Requirement <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		<input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Daniel S. Song, Reg. No. 43,143 Nixon Peabody LLP 401 9th Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	September 29, 2006

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office at 571-273-8300 on the date shown below.	
Name (Print/Type)	Michelle Duvall
Signature	
Date	September 29, 2006

SEP 29 2006

Docket No. 023880-6

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: )  
Richard T. RAINES et al. ) Group Art Unit: 3625  
Serial No. 10/721,780 ) Examiner: James H. Zurita  
Filed: November 26, 2003 ) Confirmation No. 5086  
For: SYSTEM AND METHOD FOR )  
DETERMINING VEHICLE PRICE ) Date: September 29, 2006  
ADJUSTMENT VALUES )

**RESPONSE TO RESTRICTION/ELECTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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on 9.29.2006

*Michelle Duvall*  
Michelle Duvall

Sir:

In response to the restriction/election requirement set forth in the Office Action mailed August 30, 2006, Applicant hereby provisionally elects Group II, claims 52-74, directed to a method for adjusting a price of a used vehicle; claims 75-92, directed to a system for adjusting a price of a used vehicle; and claims 113-118, directed to a computer readable medium for adjusting a price of a used vehicle, for examination on the merits.

However, as noted by the Examiner, the different groups identified by the Examiner are all classified in the same Class 705, and Subclass 37. In addition, various limitations of the claims between the different groups overlap. For example, claim 58 of the provisionally elected Group II that is dependent on independent claim 52 specifically recites a method including "the step of determining which sale transactions of said plurality of transaction records occurred with buyer's knowledge of said vehicle history attributes, and which sale transactions of said plurality of transaction records occurred without buyer's knowledge of said vehicle history attributes." Similar limitations are recited in independent claim 20 of Group I, and independent claim 97 of Group IV. In addition, similar limitations are recited in claim 95 which is ultimately dependent on independent claim 93 of Group III. Analogous parallels are also present with respect to the system and computer readable medium claims as filed.


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Thus, in view of the above, a thorough search for the subject matter of the provisionally elected Group II in the same class and subclass would also include the subject matter of Groups I, III, and IV as well. Therefore, the search and examination of the entire application can be made in the same class and subclass without serious burden to the Examiner. (See MPEP 803).

In view of the above, the Applicants respectfully request that the Restriction Requirement be reconsidered and withdrawn, and that all claims of the entire application be examined on the merits.

Respectfully submitted,

  
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